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SHOOK, HARDY & BACON L.L.P. (c/o MICROSOFT CORPORATION) INTELLECTUAL PROPERTY DEPARTMENT 2555 GRAND BOULEVARD KANSAS CITY, MO 64108-2613			BASHORE, WILLIAM L	
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/557,738

Filing Date: April 25, 2000

Appellant(s): GJERSTAD ET AL.

Monplaisir Hamilton
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 8/31/2006 appealing from the Office action mailed 12/21/2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,946,499	SAUNDERS	8-1999
6,466,240	MASLOV	10-2002
5,109,439	FROESSL	4-1992

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saunders, US 5,946,499 filed 05/10/1996 in view of Maslov, US 6,466,240 B1 provisional application filed 7/8/1998 and Froessl, US 5,109,439 patented 4/28/1992.

Regarding independent claim 1, Saunders teaches a text store interface to permit an application having a document of primarily text to expose the document as an abstraction in fig. 1, 2, 5, col. 2 lines 6-16, col. 3 lines 53-65, and col. 6 line 39 - col. 7 line 44. Saunders teaches a text stream interface in which the abstraction of the document appears as an array, a position within the document represented as an offset from a beginning of the array in fig. 1, 4a, 4b, and col. 7 lines 18-32. Saunders teaches a text processor input method for attaching a property to the document in at least one position in the document,

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wherein the property preserves a relationship between a text service and the identified range in fig. 5, col. 2 lines 42-45, and col. 6 lines 28-38. In col. 6 lines 28-38 Saunders teaches a unique identifier, which is a property attached to the range of text for the purpose of providing access to the range of text. Saunders teaches a text input processor interface to permit a handler for an input device to access the abstraction of the document and to insert additional text into the document in fig. 4a, 4b, 5, col. 1 line 55- col. 2 line 29, col. 4 line 59 - col. 5 line 9, and col. 6 line 39 - col. 7 line 44. Saunders does not, however teach that the property preserves originally entered data in order to facilitate text correction. Saunders teaches a tree structure for organizing the document content in fig. 3, but does not teach a dynamic text interface in which the abstraction of the document is such that a position within a document represented as a floating anchor to a node.

Maslov does teach a dynamic text interface in which the abstraction of the document is such that a position within a document represented as a floating anchor to a node in the abstract, col. 2 line 62 - col. 3 line 17, and col. 3 lines 26-44. Maslov can select or anchor nodes of text for manipulation by the user. Froessl does teach attaching a property to a document, wherein the property preserves originally entered data in order to facilitate text correction in fig. 1, fig. 2, and col. 7 line 63 - col. 8 line 5. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Maslov and Froessl into Saunders to have created the claimed invention. It would have been obvious and desirable to have used the dynamic text interface taught by Maslov to have improved Saunders so that the documents editable by Saunders would have included structured document trees consisting of nodes of text. It would have been obvious and desirable to have used the original data access facilitating text correction as taught by Froessl in fig. 1, fig. 2, and col. 7 line 63 - col. 8 line 5. This teaching of Froessl would have enabled a modified Saunders to have stored data as it was originally entered by the text input services so that it would be available to facilitate text connection in accordance with the teaching of Froessl.

Regarding dependent claim 2, Saunders teaches a method for selecting at least one of the text stream interface and the dynamic text interface by which to expose the document as an abstraction in fig. 1, 2, and col. 1 lines 55-65. Saunders teaches wherein the method selects the text stream interface for documents stored as an an-ay and the dynamic interface for documents stored in a tree-based structure in fig. 3.

Regarding dependent claim 3, Saunders teaches a range object in which a range within the document is specified as two positions within the abstraction of the document, such that the handler inserts the additional text into the document and accesses the abstraction of the document at the range specified by the range object in fig. 5 and col. 6 line 39 - col. 7 line 44.

Regarding dependent claim 4, Saunders teaches insertion accomplished via a first method of a text input processor interface, and access is accomplished via a second method of a text input processor interface in fig. 5 and col. 6 line 39 - col. 7 line 44.

Regarding dependent claim 5, Saunders teaches wherein the text input processor interface further permits the handler for the input device to attach the property to the document at the range specified by the range object in fig. 5, col. 2 lines 42-45, and col. 6 lines 28-38. In col. 6 lines 28-38 Saunders teaches a unique identifier, which is a property attached to the range of text for the purpose of providing access to the range of text.

Claims 20, 21, and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saunders, US 5,946,499 filed 05/10/1996 in view of Froessl, US 5,109,439 patented 4/28/1992.

Regarding independent claim 20, Saunders teaches a text input processor interface to permit a handler for an input device to access the abstraction of the document and to insert additional text into the document in fig. 4a, 4b, 5, col. 1 line 55- col. 2 line 29, col. 4 line 59 - col. 5 line 9, and col. 6 line 39 - col. 7 line 44. Saunders teaches a range object in which a range within the document is specified as two positions within the abstraction of the document, such that the handler inserts the additional text into the document and accesses the abstraction of the document at the range specified by the range object in fig. 5 and col. 6 line 39 - col. 7 line 44. Saunders teaches insertion accomplished via a first method of a text input processor interface, and access is accomplished via a second method of a text input processor interface in fig. 5 and col. 6 line 39 - col. 7 line 44. Saunders teaches a method by which the handler is able to attach a property to the document at a range specified by the range object, wherein the property preserves a relationship between a text service and the identified range in fig. 5, col. 2 lines 42-45, and col. 6 lines 28-38. In col. 6 lines 28-38 Saunders teaches a unique identifier, which is a property attached to the range of text for the purpose of providing access to the range of text. Saunders does not, however teach that the property provides access to original data used for insertion of text within the range.

Froessl does teach attaching a property to a document, wherein the property preserves originally entered data in order to facilitate text correction in fig. 1, fig. 2, and col. 7 line 63 - col. 8 line 5. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Froessl into Saunders to have created the claimed invention. It would have been obvious and desh'able to have used the original data access facilitating text correction as taught by Froessl in fig. 1, fig. 2, and col. 7 line 63 - col. 8 line 5. This teaching of Froessl would have enabled a modified Saunders

to have stored data as it was originally entered by the text input services so that it would be available to facilitate text correction in accordance with the teaching of Froessl.

Regarding dependent claim 21, Saunders teaches a text store interface to permit an application having a document of primarily text to expose the document as an abstraction in fig. 1, 2, 5, col. 2 lines 6-16, col. 3 lines 53-65, and col. 6 line 39 - col. 7 line 44.

Regarding independent claim 23, Saunders teaches receiving original raw data from at least one of a plurality of input devices in fig. 1, fig. 4, col. 1 line 55 - col. 2 line 29, and col. 4 line 59 - col. 5 line 9. Saunders discloses specifying a range within a document, wherein the range utilizes at least one floating position in fig. 5 and col. 6 line 39 - col. 7 line 44. Saunders teaches a method by which the handler is able to attach a property to the document at a range specified by the range object, wherein the property preserves a relationship between a text service and the identified range in fig. 5, col. 2 lines 42-45, and col. 6 lines 28-38. In col. 6 lines 28-38 Saunders teaches a unique identifier, which is a property attached to the range of text for the purpose of providing access to the range of text. Saunders does not, however teach that the property provides access to original data used for insertion of text within the range.

Froessl does teach storing original raw data in a property that is attachable to a document and attaching the property to a document, wherein the property preserves original raw data in order to facilitate text correction in fig. 1, fig. 2, and col. 7 line 63 - col. 8 line 5. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Froessl into Saunders to have created the claimed invention. It would have been obvious and desirable to have used the original raw data access facilitating text correction as taught by Froessl in fig. 1, fig. 2, and col. 7 line 63 - col. 8 line 5. This teaching of Froessl would have enabled a modified Saunders to have stored data as it was

originally entered by the text input services so that it would be available to facilitate text correction in accordance with the teaching of Froessl.

Regarding dependent claim 24, Saunders teaches wherein at least two of the plurality of input devices can simultaneously provide the original raw data in fig. 1, fig. 4, col. 1 line 55 - col. 2 line 29, and col. 4 line 59 - col. 5 line 9.

Regarding dependent claim 25, Saunders does not teach providing a context that includes additional information about the original raw data and utilizing the context to convert the received original raw data into text. Froessl does teach providing a context that includes additional information about the original raw data and utilizing the context to convert the received original raw data into text in fig. 1, fig. 2, col. 3 line 60 - col. 4 line 23, and col. 7 line 63 - col. 8 line 5. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Saunders and Froessl to have created the claimed invention. It would have been obvious and desirable to have used the context as taught by Froessl to have improved Saunders so that additional information would have been available to the user to assist in facilitating text correction using the original raw data.

Regarding dependent claim 26, Saunders teaches specifying a range of text to enable a text service to modify or replace the text in fig. 5, col. 2 lines 42-45, and col. 6 lines 28-38. Saunders does not teach wherein the context is determined by the range specified within the document. Froessl does teach providing a context that includes additional information about the original raw data and utilizing the context to convert the received original raw data into text in fig. 1, fig. 2, col. 3 line 60 - col. 4 line 23, and col. 7 line 63 - col. 8 line 5. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Saunders and Froessl to have created the

claimed invention. In light of the suggested context teaching of Froessl, it would have been obvious and desirable to one of ordinary skill in the art to have used the range specified within the document because it was known at the time of the invention that different portions of a document typically contain different kinds of information. This difference would have led one of ordinary skill in the art to have derived a context from these differences.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saunders, US 5,946,499 filed 05/10/1996 in view of Froessl, US 5,109,439 patented 4/28/1992 as applied to claim 20 above, and further in view of Maslov, US 6,466,240 B1 provisional application filed 7/8/1998.

Regarding dependent claim 22, Saunders teaches a text stream interface in which the abstraction of the document appears as an an-ay, a position within the document represented as an offset from a beginning of the array in fig. 1, 4a, 4b, and col. 7 lines 18-32. Saunders also teaches an application which selects at least one of the text stream interface and the dynamic text interface by which to expose the document as an abstraction in fig. 1, 2, and col. 1 lines 55-65. Saunders does not teach a dynamic text interface in which the abstraction of the document is such that a position within a document represented as a floating anchor to a node.

Maslov does teach a dynamic text interface in which the abstraction of the document is such that a position within a document represented as a floating anchor to a node in the abstract, col. 2 line 62 - col. 3 line 17, and col. 3 lines 26-44. Maslov can select o1" anchor nodes of text for manipulation by the user. Froessl does teach attaching a property to a document, wherein the property preserves originally entered data in order to facilitate text correction in fig. 1, fig. 2, and col. 7 line 63 - col. 8 line 5. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined

Maslov and Froessl into Saunders to have created the claimed invention. It would have been obvious and desirable to have used the dynamic text interface taught by Maslov to have improved Saunders so that the documents editable by Saunders would have included structured document trees consisting of nodes of text. It would have been obvious and desh'able to have used the original data access facilitating text correction as taught by Froessl in fig. 1, fig. 2, and col. 7 line 63 - col. 8 line 5. This teaching of Froessl would have enabled a modified Saunders to have stored data as it was originally entered by the text input services so that it would be available to facilitate text con'ection in accordance with the teaching of Froessl.

(10) Response to Argument

Beginning on page 12 of the appeal Brief (hereinafter the Brief), appellant argues the following issues which are accordingly addressed below.

Appellant argues that the cited references do not disclose “the text input processor method for attaching the property that preserves originally entered data.” (pages 12-13 of the Brief).

The examiner respectfully disagrees. Saunders teaches a text store interface to permit an application having a document of primarily text to expose the document as an abstraction. Saunders teaches a text stream interface in which the abstraction of the document appears as an array, a position within the document represented as an offset from a beginning of the array. Saunders also teaches a text processor input method for attaching a property to the document in at least one position in the document, wherein the property preserves a relationship between a text service and the identified range. In col. 6

lines 28-38 Saunders teaches a unique identifier, which is a property attached to the range of text for the purpose of providing access to the range of text. Saunders teaches a text input processor interface to permit a handler for an input device to access the abstraction of the document and to insert additional text into the document. Saunders does not, however teach that the property preserves originally entered data in order to facilitate text correction. Although Saunders teaches a tree structure for organizing the document content in fig. 3, it does not teach a dynamic text interface in which the abstraction of the document is such that a position within a document is represented as a floating anchor to a node. Froessl, however, does teach attaching a property to a document, wherein the property preserves originally entered data in order to facilitate text correction in fig. 1, fig. 2, and col. 7 line 63 - col. 8 line 5.

It is respectfully submitted that Saunders teaches a “text stream interface”. Saunders teaches a text stream interface in which the abstraction of the document appears as an array, a position within the document represented as an offset from a beginning of the array in fig. 1, 4a, 4b, and col. 7 lines 18-32. Saunders teaches a text processor input method (i.e. a stream) for attaching a property to the document

Appellant argues that the cited references do not disclose neither offsets (pages 13-14 of the Brief), nor floating anchors to nodes (pages 14-15 of the Brief).

The examiner respectfully disagrees. Saunders teaches a text stream interface in which the abstraction of the document appears as an array, a position within the document represented as an offset from a beginning of the array in fig. 1, 4a, 4b, and col. 7 lines 18-32. Maslov does teach a dynamic text interface in which the abstraction of the document is such that a position within a document represented as a floating anchor to a node in the abstract, col. 2 line 62 - col. 3 line 17, and col. 3 lines 26-44. Maslov can select or anchor nodes of text for manipulation by the user.

Appellant argues on pages 17-21 of the Brief that the cited references do not teach the claimed limitations of claims 20-21.

The examiner respectfully disagrees. Saunders teaches a range object in which a range within the document is specified as two positions within the abstraction of the document, such that the handler inserts the additional text into the document and accesses the abstraction of the document at the range specified by the range object. Saunders teaches insertion accomplished via a first method of a text input processor interface, and access is accomplished via a second method of a text input processor interface. Saunders also teaches a method by which the handler is able to attach a property to the document at a range specified by the range object, wherein the property preserves a relationship between a text service and the identified range. In addition, Saunders teaches a unique identifier, which is a property attached to the range of text for the purpose of providing access to the range of text. Saunders does not teach that the property provides access to original data used for insertion of text within the range. Froessl does teach attaching a property to a document, wherein the property preserves originally entered data in order to facilitate text correction.

Appellant argues on pages 21-22 of the Brief that the cited references do not teach the claimed limitations of claims 23-26.

The examiner respectfully disagrees. In addition to the above, Froessl teaches storing original raw data in a property that is attachable to a document and attaching the property to a document, wherein the property preserves original raw data in order to facilitate text correction in fig. 1, fig. 2, and col. 7 line 63 - col. 8 line 5.

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(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



William L. Bashore



**WILLIAM BASHORE
PRIMARY EXAMINER**

Conferees:



Heather Herndon



Stephen Hong